



**DEFENSE CONTRACT AUDIT AGENCY**  
8725 JOHN J. KINGMAN ROAD, SUITE 2135  
FORT BELVOIR, VA 22060-6219

DL 502.4  
A-19-001-H

NOV 28 2018

Ms. Emma Best  
MuckRock News  
DEPT MR 62568  
411A Highland Avenue  
Somerville, MA 02144-2516

Dear Ms. Best:

This is in response to your November 6, 2018, letter in which you are appealing the no records search response to your October 18, 2018, Freedom of Information Act request (DCAA FOIA Case Number I-19-007-H).

Based upon your appeal dated November 6, 2018, this agency has conducted a new search for responsive records using "LYNN, Bernard" as the search term and the years 1970-1979 and the search time frame. Searches were conducted with our Policy, Human Resources, Security, and Field Detachment offices. Our Policy and Human Resources offices provided no records located responses. DCAA Field Detachment and Security offices responded that records from the time frame requested 1970-1979, have met agency records retention schedules and have been destroyed in accordance with DCAA records management policies. We have therefore concluded, that DCAA has no records responsive to your request. Your appeal of our initial denial of your request is denied.

For your information, to be subject to the FOIA, a record must exist and be in DoD possession and control when the DoD Component searches for it. See, Department of Defense 5400.7 Manual, DoD Freedom of Information Act (FOIA) Program, 6.2.h. (January 2017).

This determination is the final decision of this Agency on your appeal. If you disagree with this decision, you may seek judicial review in the United States District Courts in the district where you are located or in the U.S. District Court of the District of Columbia.

Should you have any further questions, please contact Mr. Keith Mastromichalis, the DCAA Chief FOIA Officer, at (571) 448-3153.

Sincerely,

Daryl B. Witherspoon  
General Counsel